



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/565,041

01/18/2006

Norberto Sainz De La Maza Escobal

P4043256

5362

2352 7590 04/04/2008
OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

MAYO III, WILLIAM H

ART UNIT

PAPER NUMBER

2831

MAIL DATE

DELIVERY MODE

04/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/565,041	Applicant(s) SAINZ DE LA MAZA ESCOBAL ET AL.	
	Examiner William H. Mayo III	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Poth (Pat Num 6,129,554). Poth discloses an electrical coupling device (Fig 1) capable of connecting separable connecting leads between at least two switch-rooms for high voltage (Col 1, lines 5-10). Specifically, with respect to claim 1, Poth discloses an electrical coupling device (Fig 1) comprising a connector (EK) that inserts in female connectors (GH1 & GH2) of the high voltage equipment (SR1 & SR2), which comprises an insulating shell (GH1 & GH2, Col 3, lines 5-6) that houses conducting elements (DB1 & DB2), wherein the insulating shells (GH1 & GH2) are partially covered by a conducting element (HS), wherein a mechanical protection device (DF) independent the coupling device (EK) and the connectors (GH1 & GH2), wherein the protection device (DF) surrounds and contacts the conducting layer (HS). With respect to claim 2, Poth discloses that the protection device (DF) consists of a conducting ring (Col 4, lines 1-9). With respect to claim 3, Poth discloses that the conducting ring (DF) is connected to earth is metallic (Cols 3-4, lines 54-56 & 1-9, respectively). With respect to claim 4, Poth discloses that the protection device (DF) incorporates an inductive current sensor

Art Unit: 2831

(FP1, FP2, Col 3, lines 45-53). With respect to claim 7, Poth discloses that the protective device (DF) incorporates a capacitive voltage sensor (FP1, FP2, Col 3, lines 45-53). With respect to claim 8, Poth discloses that the protection device (DF) encompasses all the connectors (GH1 & GH2, Fig 1). With respect to claim 9, Poth discloses that the protection device (DF) consists of a conducting ring connected to earth (Cols 3-4, lines 54-56 & 1-9, respectively).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 5-6 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poth (Pat Num 6,129,554) in view of Fisher (DE Pat Num 1135864A1). Poth discloses an electrical coupling device (Fig 1) capable of connecting separable connecting leads between at least two switch-rooms for high voltage (Col 1, lines 5-10) as disclosed above with respect to claim 1.

However, Poth doesn't necessarily disclose the current sensor being a Rogowski coil (claim 5), nor the current sensor consisting of a winding about a magnetic core (claim 6), nor the current sensor encompassing all phases (claim 11), nor the current sensor comprising all phases (claim 12), nor the voltage detection for each phase of the main circuit (claim 13).

Fisher teaches a coupling system between high voltage electrical equipment, wherein the design of the plug fitting provides more accuracy of current and voltage determination (See Advantage). Specifically, with respect to claims 5-6, Fisher discloses a coupling system (Figs 1-11) comprising a connector (Fig 1) comprising a protection device (7), which is a current sensor in the form of a Rogowski coil, which is a coil surrounded by a magnetic core (See Basic Abstract). With respect to claims 11-13, Fisher discloses that the current sensor (7) in conjunction with the voltage sensor (16)

provide current and voltage protection for each phase (see advantage, Col 1, lines 3-33, Col 5-6, lines 4-55 & 1-33 respectively).

With respect to claims 5-6 and 11-13, it would have been obvious to one having ordinary skill in the art of cables at the time the invention was made to modify the coupling system of Roth to comprise the voltage and current detection configuration incorporating the Rogowski coil as taught by Fisher because Fisher teaches that such a configuration provides more accuracy of current and voltage determination (See Advantage).

Response to Arguments

7. Applicant's arguments filed February 2, 2008 have been fully considered but they are not persuasive. Specifically, the applicant argues the following:

A) Roth fails to disclose a coupling system.

Clearly as discloses above Roth discloses a coupling system. While the applicant may be correct in that the coupling system of Roth is difference from the coupling system of the claimed invention, clearly Roth discloses a coupling system. The applicant is reminded that the MPEP instructs the examiner to take the broadest reasonable interpretation of the claims. Specifically, it must be stated that the examiner is required to give the claims the broadest reasonable interpretation. Specifically, MPEP 2111 states:

During patent examination, the pending claims must be "given *>their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000).< Applicant always has the

opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

Given the guidelines above, the examiner respectfully submits that the rejection of the claims is proper and just.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Communication

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (571) 272-2245 or (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William H. Mayo III/

William H. Mayo III
Primary Examiner
Art Unit 2831

Application/Control Number: 10/565,041
Art Unit: 2831

Page 8

WHM III
March 31, 2008